



U.S. Department of Justice

*United States Attorney
District of Vermont*

United States Courthouse and Federal Building

*Post Office Box 570
Burlington, Vermont 05402-0570*

*(802) 951-6725
Fax: (802) 951-6540*

PRESS RELEASE

BURLINGTON, VERMONT February 3, 2006

The Office of the United States Attorney for the District of Vermont announced that Andrew Capoccia, 63, of Guilderland, NY, and Jerry Forkey, 57, of Clifton Park, NY, were sentenced today in United States District Court in Brattleboro for their role in defrauding clients of the Andrew F. Capoccia Law Centers and the Law Centers for Consumer Protection. U.S. District Judge J. Garvan Murtha sentenced Capoccia to 188 months of imprisonment, to be followed by three years of supervised release, and ordered that he pay restitution of \$7,256,433.60. The court also ordered Capoccia to forfeit about \$2.9 in property that the Government has seized during the course of this investigation and that he pay a judgment to the United States of more than \$6 million. U.S. Marshals immediately took Capoccia into custody to begin serving his sentence. Judge Murtha sentenced Forkey to two years of probation, ordered him to perform 100 hours of community service and ordered that he pay \$20,000 restitution.

The defendants' convictions stemmed from the operations of the Andrew F. Capoccia Law Centers, an Albany, New York-based debt reduction business that offered its services to clients in a number of states, and from the Law Centers of Consumer Protection, a successor law firm that moved to Bennington. In March 2002, agents of the Federal Bureau of Investigation, the New York State Police and of the New York State Attorney General's Office raided LCCP's offices in Vermont amid allegations that partners, employees and other persons connected with LCCP had participated in a scheme to divert million dollars in client funds from LCCP accounts to accounts controlled the wife of Andrew Capoccia's, the

firms' founder. At about the same time, U.S. Marshals seized nearly \$3 million from several of those accounts.

The Law Centers closed in January 2003 after several clients sued to place it in bankruptcy. When it closed its doors, it owed clients about \$23,000,000 it did not have.

In March 2003, a federal grand jury indicted Capoccia, two attorneys with the firm, Thomas Daly and Howard Sinnott, and several other defendants on federal fraud charges accusing them of embezzling millions of dollars of client money from the Law Centers. After a five week trial, Capoccia was convicted in April 2005 on thirteen counts of conspiracy, mail and wire fraud, interstate transmittal and receipt of stolen money and money laundering. Sinnott, Daly and three other defendants pleaded guilty. Forkey had earlier pleaded guilty to charges as part of his cooperation with prosecutors.

Forkey is represented by David Silver. Since his conviction, Capoccia has been representing himself. The prosecutors were Assistant U.S. Attorneys Gregory Waples and James Gelber.

The United States Attorney commended the outstanding efforts of the Federal Bureau of Investigation, the New York State Attorney General's Office and the New York State Police for the investigation and prosecution of this case.